

United States Court of Appeals For the First Circuit

No. 24-1995

UNITED STATES,

Appellee,

v.

NATHAN REARDON,

Defendant - Appellant.

ORDER OF COURT

Entered: November 20, 2024
Pursuant to 1st Cir. R. 27.0(d)

Upon review of the record in this case, it appears that the notice of appeal, filed on October 28, 2024 in No.1:21-cr-00061-LEW-1 (D. Me.) seeking to appeal the order entered on October 2, 2024, is late. See Fed. R. App. P. 4(b) (notice of appeal in criminal case must be filed within fourteen days of judgment or order appealed from). The notice of appeal, however, was filed within the thirty days immediately following that fourteen-day period. See Fed. R. App. P. 4(b). The district court, upon a showing of excusable neglect or good cause, may enlarge the time for filing a notice of appeal filed within that thirty-day period. Accordingly, we transmit the notice of appeal to the district court for a ruling whether the district court will enlarge the time for filing an appeal and will consider this notice of appeal timely filed. See United States v. Batista, 22 F.3d 492 (2nd Cir. 1994) (treating late notice of appeal in a criminal case as a request to extend the time to appeal). Copies of the district court's decision shall be forwarded to this court forthwith.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Nathan Reardon

Joel B. Casey

Andrew Kenney Lizotte

Chris Ruge

Lindsay Feinberg